

Introduced by Senator Berryhill

February 24, 2015

An act to amend Section 510 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

SB 368, as introduced, Berryhill. Employment: work hours.

Existing law, with certain exceptions, establishes 8 hours as a day's work and a 40-hour workweek, and requires payment of prescribed overtime compensation for additional hours worked.

This bill would make nonsubstantive changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 510 of the Labor Code is amended to
2 read:
3 510. (a) Eight hours of labor constitutes a day's work. Any
4 work in excess of eight hours in one workday and any work in
5 excess of 40 hours in any one workweek and the first eight hours
6 worked on the seventh day of work in any one workweek shall be
7 compensated at the rate of no less than one and one-half times the
8 regular rate of pay for an employee. Any work in excess of 12
9 hours in one day shall be compensated at the rate of no less than
10 twice the regular rate of pay for an employee. In addition, any
11 work in excess of eight hours on any seventh day of a workweek
12 shall be compensated at the rate of no less than twice the regular
13 rate of pay of an employee. Nothing in this section requires an

- 1 employer to combine more than one rate of overtime compensation
2 in order to calculate the amount to be paid to an employee for any
3 hour of overtime work. ~~The requirements of this~~ *This section does*
4 *does* not apply to the payment of overtime compensation to an
5 employee working pursuant to any of the following:
- 6 (1) An alternative workweek schedule adopted pursuant to
7 Section 511.
- 8 (2) An alternative workweek schedule adopted pursuant to a
9 collective bargaining agreement pursuant to Section 514.
- 10 (3) An alternative workweek schedule to which this chapter is
11 inapplicable pursuant to Section 554.
- 12 (b) Time spent commuting to and from the first place at which
13 an employee's presence is required by the employer shall not be
14 considered to be a part of a day's work, when the employee
15 commutes in a vehicle that is owned, leased, or subsidized by the
16 employer and is used for the purpose of ridesharing, as defined in
17 Section 522 of the Vehicle Code.
- 18 (c) This section does not affect, change, or limit an employer's
19 liability under the workers' compensation law.